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UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOTICE OF FINAL RULEMAKING

PATENT FEE REVISIONS

The United States Patent and Trademark Office (USPTO) has amended the rules of practice in patent cases to adjust certain patent fee amounts to reflect fluctuations in the Consumer Price Index (CPI).

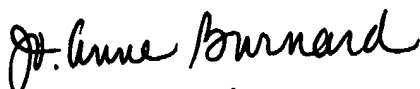
A notice was published in the *Federal Register* on August 27, 2004, and in the *Official Gazette of the United States Patent and Trademark Office* on August 31, 2004.

Any fee amount paid on or after October 1, 2004, is subject to the new fee schedule.

This notice does not affect trademark fees.

Legislation has been introduced in the Congress that would alter our fees. Customers should be aware that legislative changes to our fees would supersede this fee schedule. If such changes occur, we will make corresponding rule changes by publication in the *Federal Register*. Official notices of any fee changes will appear in the *Federal Register* and in the *Official Gazette of the United States Patent and Trademark Office*.

The fee schedule is available on our Web site at www.uspto.gov. The most up-to-date fee amounts and information are also available on our Web site. If you have any questions related to patents and trademarks, please call the USPTO Contact Center at (703) 308-4357 or (800) 786-9199, or by fax at (703) 305-7786.


Jo-Anne Barnard
Chief Financial Officer and
Chief Administrative Officer

Fee Code	37 CFR	Description	Fee
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Trademark Processing Fees*

6001/7001	2.6(a)(1)	Application for registration, per class	335.00
6002/7002	2.6(a)(2)	Filing an Amendment to Allege Use under § 1(c), per class	100.00
6003/7003	2.6(a)(3)	Filing a Statement of Use under § 1(d)(1), per class	100.00
6004/7004	2.6(a)(4)	Filing a Request for a Six-month Extension of Time for Filing a Statement of Use under § 1(d)1, per class	150.00
6005	2.6(a)(15)	Petition to the Commissioner	100.00
6006	2.6(a)(19)	Dividing an application, per new application (file wrapper) created	100.00
6201/7201	2.6(a)(5)	Application for renewal, per class	400.00
6203/7203	2.6(a)(6)	Additional fee for filing renewal application during grace period, per class	100.00
6204	2.6(a)(21)	Correcting a deficiency in a renewal application	100.00
6205/7205	2.6(a)(12)	Filing § 8 affidavit, per class	100.00
6206/7206	2.6(a)(14)	Additional fee for filing § 8 affidavit during grace period, per class	100.00
6207	2.6(a)(20)	Correcting a deficiency in a § 8 affidavit	100.00
6208/7208	2.6(a)(13)	Filing § 15 affidavit, per class	200.00
6210	2.6(a)(7)	Publication of mark under § 12(c), per class	100.00
6211	2.6(a)(8)	Issuing new certificate of registration	100.00
6212	2.6(a)(9)	Certificate of correction, registrant's error	100.00
6213	2.6(a)(10)	Filing disclaimer to registration	100.00
6214	2.6(a)(11)	Filing amendment to registration	100.00
6401/7401	2.6(a)(16)	Petition for cancellation, per class	300.00
6402/7402	2.6(a)(17)	Notice of opposition, per class	300.00
6403/7403	2.6(a)(18)	Ex parte appeal, per class	100.00

Trademark Madrid Protocol Fees*

6901/7901	7.6(a)(1)	Certifying an International application based on single application or registration, per class	100.00
6902/7902	7.6(a)(2)	Certifying an International application based on more than one basic application or registration, per class	150.00
6903/7903	7.6(a)(3)	Transmitting a Request to Record an Assignment or restriction under 7.23 or 7.24	100.00
6904/7904	7.6(a)(4)	Filing a Notice of Replacement, per class	100.00
6905/7905	7.6(a)(5)	Filing an affidavit under 71 of the Act, per class	100.00
6906/7906	7.6(a)(6)	Surcharge for filing affidavit under 71 of the Act during grace period, per class	100.00
6907/7907	7.6(a)(7)	Transmitting a subsequent designation	100.00

* The 7000 series fee code (e.g., 7001, 7002, etc.) is used for electronic filings via e-TEAS, which is available at www.uspto.gov/teas/e-TEAS/index.html. In addition, the 6000 series fee codes under the Trademark Madrid Protocol Fees are being offered temporarily for use as a paper-based filing alternative.

Trademark Service Fees

8501	2.6(b)(1)	Printed copy of registered mark, delivery by USPS, USPTO Box, or electronic means	3.00
8503	2.6(b)(4)(i)	Certified copy of registered mark, with title and/or status, regular service	15.00
8504	2.6(b)(4)(ii)	Certified copy of registered mark, with title and/or status, expedited local service	30.00
8507	2.6(b)(2)	Certified copy of trademark application as filed	15.00
8508	2.6(b)(3)	Certified or uncertified copy of trademark-related file wrapper and contents	50.00
8513	2.6(b)(5)	Certified or uncertified copy of trademark document, unless otherwise provided	25.00
8514	2.6(b)(7)	For assignment records, abstracts of title and certification per registration	25.00
8902	2.6(b)(9)	Self-service copy charge, per page	0.25
8521	2.6(b)(6)	Recording trademark assignment, agreement or other paper, first mark per document	40.00
8522	2.6(b)(6)	For second and subsequent marks in the same document	25.00
8523	2.6(b)(10)	Labor charges for services, per hour or fraction thereof	40.00
8524	2.6(b)(11)	Unspecified other services, excluding labor	AT COST

Fastener Quality Act Fees

6991	2.7(a)	Recordal application fee	20.00
6992	2.7(b)	Renewal application fee	20.00
6993	2.7(c)	Late fee for renewal application	20.00

UNITED STATES PATENT AND TRADEMARK OFFICE

Effective October 1, 2004

Any fee amount paid on or after October 1, 2004, must be paid in the revised amount.
 The fees subject to reduction for small entities that have established status (37 CFR 1.27) are shown in a separate column.
 For additional information, please call the USPTO Contact Center at (703) 308-4357 or (800) 786-9199.

Fee Code	37 CFR	Description	Fee	Small Entity Fee (If applicable)
Patent Application Filing Fees				
1001/2001	1.16(a)	Basic filing fee - Utility	790.00	395.00
1201/2201	1.16(b)	Independent claims in excess of three	88.00	44.00
1202/2202	1.16(c)	Claims in excess of twenty	18.00	9.00
1203/2203	1.16(d)	Multiple dependent claim	300.00	150.00
1051/2051	1.16(e)	Surcharge - Late filing fee or oath or declaration	130.00	65.00
1002/2002	1.16(f)	Design filing fee	350.00	175.00
1007/2007	1.16(f)	Design filing fee (CPA)	350.00	175.00
1003/2003	1.16(g)	Plant filing fee	550.00	275.00
1004/2004	1.16(h)	Reissue filing fee	790.00	395.00
1009/2009	1.16(h)	Reissue filing fee (CPA)	790.00	395.00
1204/2204	1.16(i)	Reissue independent claims over original patent	88.00	44.00
1205/2205	1.16(j)	Reissue claims in excess of 20 and over original patent	18.00	9.00
1005/2005	1.16(k)	Provisional application filing fee	160.00	80.00
1052/2052	1.16(l)	Surcharge - Late provisional filing fee or cover sheet	50.00	25.00
1053	1.17(i)	Non-English specification	130.00	
Patent Post-Allowance Fees				
1501/2501	1.18(a)	Utility issue fee	1,370.00	685.00
1502/2502	1.18(b)	Design issue fee	490.00	245.00
1503/2503	1.18(c)	Plant issue fee	660.00	330.00
1504	1.18(d)	Publication fee for early, voluntary, or normal publication	300.00	
1505	1.18(d)	Publication fee for republication	300.00	
Patent Maintenance Fees				
1551/2551	1.20(e)	Due at 3.5 years	940.00	470.00
1552/2552	1.20(f)	Due at 7.5 years	2,150.00	1,075.00
1553/2553	1.20(g)	Due at 11.5 years	3,320.00	1,660.00
	1.20(h)	Surcharge - Late payment within 6 months	130.00	65.00
1557	1.20(i)(1)	Surcharge after expiration - Late payment is unavoidable	700.00	
1558	1.20(i)(2)	Surcharge after expiration - Late payment is unintentional	1,640.00	
Miscellaneous Patent Fees				
1801/2801	1.17(e)	Request for continued examination (RCE) (see 37 CFR 1.114)	790.00	395.00
1808	1.17(i)	Processing fee, except in provisional applications	130.00	
1803	1.17(i)	Request for voluntary publication or republication	130.00	
1802	1.17(k)	Request for expedited examination of a design application	900.00	
1804	1.17(n)	Request for publication of SIR - Prior to examiner's action	920.00*	
1805	1.17(o)	Request for publication of SIR - After examiner's action	1,840.00*	
1806	1.17(p)	Submission of an Information Disclosure Statement	180.00	
1807	1.17(q)	Processing fee for provisional applications	50.00	
1809/2809	1.17(r)	Filing a submission after final rejection (see 37 CFR 1.129(a))	790.00	395.00
1810/2810	1.17(s)	For each additional invention to be examined (see 37 CFR 1.129(b))	790.00	395.00
1811	1.20(a)	Certificate of correction	100.00	
1812	1.20(c)(1)	Request for ex parte reexamination	2,520.00	
1813	1.20(c)(2)	Request for inter partes reexamination	8,800.00	
1814/2814	1.20(d)	Statutory disclaimer	110.00	55.00

* Reduced by basic filing fee paid.

Fee Code	37 CFR	Description	Fee	Small Entity Fee (if applicable)
Patent Application Extension Fees				
1251/2251	1.17(a)(1)	Extension for response within first month	110.00	55.00
1252/2252	1.17(a)(2)	Extension for response within second month	430.00	215.00
1253/2253	1.17(a)(3)	Extension for response within third month	980.00	490.00
1254/2254	1.17(a)(4)	Extension for response within fourth month	1,530.00	765.00
1255/2255	1.17(a)(5)	Extension for response within fifth month	2,080.00	1,040.00
Patent Appeals/Interference Fees				
1401/2401	41.20(b)(1)	Notice of appeal	340.00	170.00
1402/2402	41.20(b)(2)	Filing a brief in support of an appeal	340.00	170.00
1403/2403	41.20(b)(3)	Request for oral hearing	300.00	150.00
Patent Petition Fees				
1460	1.17(h)	Petitions to the Director	130.00	
1451	1.17(j)	Petition to institute a public use proceeding	1,510.00	
1452/2452	1.17(l)	Petition to revive unavoidably abandoned application	110.00	55.00
1453/2453	1.17(m)	Petition to revive unintentionally abandoned application	1,370.00	685.00
1454	1.17(t)	Acceptance of an unintentionally delayed claim for priority	1,370.00	
1455	1.18(e)	Filing an application for patent term adjustment	200.00	
1456	1.18(f)	Request for reinstatement of term reduced	400.00	
1457	1.20(j)(1)	Extension of term of patent	1,120.00	
1458	1.20(j)(2)	Initial application for interim extension (see 37 CFR 1.790)	420.00	
1459	1.20(j)(3)	Subsequent application for interim extension (see 37 CFR 1.790)	220.00	
PCT Fees - National Stage				
1609/2609	1.492(a)(1)	IPEA - U.S.	750.00	375.00
1610/2610	1.492(a)(2)	ISA - U.S.	790.00	395.00
1611/2611	1.492(a)(3)	USPTO not ISA or IPEA	1,110.00	555.00
1612/2612	1.492(a)(4)	Claims meet PCT Article 33(1)-(4) - IPEA - U.S.	100.00	50.00
1613/2613	1.492(a)(5)	Filing with EPO or JPO search report	950.00	475.00
1614/2614	1.492(b)	Claims - extra independent (over three)	88.00	44.00
1615/2615	1.492(c)	Claims - extra total (over twenty)	18.00	9.00
1616/2616	1.492(d)	Claims - multiple dependent	300.00	150.00
1617/2617	1.492(e)	Oath or declaration after twenty or thirty months from priority date	130.00	65.00
1618	1.492(f)	English translation after twenty or thirty months from priority date	130.00	
PCT Fees - International Stage				
1601	1.445(a)(1)	Transmittal fee	300.00	
1602	1.445(a)(2)	PCT search fee - no U.S. application	1,000.00	
1603	1.445(a)(2)	PCT search - prior U.S. application	300.00	
1604	1.445(a)(3)	Supplemental search per additional invention	1,000.00	
1605	1.482(a)(1)	Preliminary examination fee - ISA was the U.S.	600.00	
1606	1.482(a)(1)	Preliminary examination fee - ISA not the U.S.	750.00	
1607	1.482(a)(2)	Supplemental examination fee per additional invention	600.00	
1619		Late payment fee	VARIABLE	
1620		Confirmed precautionary designation - confirmation portion	52.00*	
1621		Transmitting application to Intl. Bureau to act as a receiving office	300.00	
1624		Confirmed precautionary designation - designation portion	104.00*	
PCT Fees to WIPO or EPO*				
1701		International filing fee (first thirty pages) - PCT Easy	1,053.00	
1702		International filing fee (first thirty pages)	1,134.00	
1703		Supplemental international filing fee (for each page over thirty)	12.00	
1704		International search (EPO)	1,920.00	
1705		Handling fee	162.00	
1708		International CD cases	4,800.00	

* WIPO and EPO fees subject to periodic change due to fluctuations in exchange rate. Refer to the *Official Gazette of the United States Patent and Trademark Office* for current amounts.

PAYMENTS FROM FOREIGN COUNTRIES MUST BE PAYABLE AND IMMEDIATELY NEGOTIABLE IN THE UNITED STATES FOR THE FULL AMOUNT OF THE FEE REQUIRED

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1612/2612	1.492(a)(4)	Claims meet PCT Article 33(1)-(4) - IPEA - U.S.	100.00	50.00
1613/2613	1.492(a)(5)	Filing with EPO or JPO search report	950.00	475.00
1614/2614	1.492(b)	Claims - extra independent (over three)	88.00	44.00
1615/2615	1.492(c)	Claims - extra total (over twenty)	18.00	9.00
1616/2616	1.492(d)	Claims - multiple dependent	300.00	150.00
1617/2617	1.492(e)	Oath or declaration after twenty or thirty months from priority date	130.00	65.00
1618	1.492(f)	English translation after twenty or thirty months from priority date	130.00	
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1605	1.482(a)(1)	Preliminary examination fee - ISA was the U.S.	600.00	
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1607	1.482(a)(2)	Supplemental examination fee per additional invention	600.00	
1619		Late payment fee	VARIABLE	
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1624		Confirmed precautionary designation - designation portion	104.00*	
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1702		International filing fee (first thirty pages)	1,134.00	
1703		Supplemental international filing fee (for each page over thirty)	12.00	
1704		International search (EPO)	1,920.00	
1705		Handling fee	162.00	
1708		International CD cases	4,800.00	

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Fee Code	37 CFR	Description	Fee
Patent Service Fees			
8001	1.19(a)(1)	Printed copy of patent w/o color, delivery by USPS, USPTO Box, or electronic means	3.00
8003	1.19(a)(2)	Printed copy of plant patent in color	15.00
8004	1.19(a)(3)	Color copy of patent (other than plant patent) or SIR containing a color drawing	25.00
8005	1.19(a)(1)	Patent Application Publication (PAP)	3.00
8007	1.19(b)(1)	Certified copy of patent application as filed	20.00
8008	1.19(b)(2)(i)	Copy of patent-related file wrapper and paper contents of 400 or fewer pages	200.00
8009	1.19(b)(2)(ii)	Additional fee for each additional 100 pages or portion thereof	40.00
8010	1.19(b)(2)(iii)	Additional fee for certification of patent-related file wrapper and paper contents	25.00
8011	1.19(b)(3)(i)	Copy of first compact disk in a single order of file wrapper and paper contents	55.00
8012	1.19(b)(3)(ii)	Each additional compact disk in the single order of § 1.19(b)(3)(i)	15.00
8013	1.19(b)(4)	Certified or uncertified copy of document, unless otherwise provided	25.00
8014	1.19(b)(5)	For assignment records, abstract of title and certification, per patent	25.00
8904	1.19(c)	Library service	50.00
8015	1.19(d)	List of U.S. patents and SIRs in subclass	3.00
8016	1.19(e)	Uncertified statement re status of maintenance fee payments	10.00
8017	1.19(f)	Copy of non-U.S. document	25.00
8018	1.21(c)	Disclosure document filing fee	10.00
8019	1.21(d)	Local delivery box rental, annually	50.00
8020	1.21(e)	International type search report	40.00
8902	1.21(g)	Self-service copy charge, per page	0.25
8021	1.21(h)	Recording each patent assignment, agreement or other paper, per property	40.00
8022	1.21(i)	Publication in <i>Official Gazette</i>	25.00
8023	1.21(j)	Labor charges for services, per hour or fraction thereof	40.00
8024	1.21(k)	Unspecified other services, excluding labor	AT COST
8025	1.21(l)	Retaining abandoned application	130.00
8026	1.21(n)	Handling fee for incomplete or improper application	130.00
8027	1.296	Handling fee for withdrawal of SIR	130.00
Patent Enrollment Fees			
9001	1.21(a)(1)(i)	Application fee (non-refundable)	40.00
9010	1.21(a)(1)(ii)	For test administration by commercial entity	200.00
	(A)		
9011	1.21(a)(1)(ii)	For test administration by USPTO	450.00
	(B)		
9003	1.21(a)(2)	Registration to practice or grant of limited recognition under § 11.9(b) or (c)	100.00
9004	1.21(a)(3)	Reinstatement to practice	40.00
9005	1.21(a)(4)	Certificate of good standing as an attorney or agent	10.00
9006	1.21(a)(4)(i)	Certificate of good standing as an attorney or agent, suitable for framing	20.00
9012	1.21(a)(5)(i)	Review of decision by the Director of Enrollment and Discipline under § 11.2(c)	130.00
9013	1.21(a)(5)(ii)	Review of decision of the Director of Enrollment and Discipline under § 11.2(d)	130.00
9014	1.21(a)(10)	Review fee for person disciplined, convicted of a felony or certain misdemeanors under § 11.2(h)	1,600.00
GENERAL FEES			
Finance Service Fees			
9201	1.21(b)(1) or 2.6(b)(13)(i)	Establish deposit account	10.00
9202	1.21(b)(2) or 2.6(b)(13)(ii)	Service charge for below minimum balance	25.00
9202	1.21(b)(3)	Service charge for below minimum balance restricted subscription deposit account	25.00
9101	1.21(m) or 2.6(b)(12)	Processing each payment refused or charged back	50.00
Computer Service Fees			
8031/8531		Computer records	AT COST

PAYMENTS FROM FOREIGN COUNTRIES MUST BE PAYABLE AND IMMEDIATELY NEGOTIABLE IN THE UNITED STATES FOR THE FULL AMOUNT OF THE FEE REQUIRED